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HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 2436 of 2002

Petitioner: V.K. Talwar S/o C.L. Talwar,
aged about 50 years, R/o D-
84, Vasant Vihar, SECL
Colony, Seepat Road, Bilaspur.
Permanent R/o A-48, 1st Floor
Defence Colony
New Delhi-110 024.

Versus

Respondents: 1. South Easter Coalfields Ltd.,
through its Chairman Cum
Managing Director SECL,
Bilaspur
2. The General Manager
Executive Establishment
South Eastern Coalfields Ltd.
Bilaspur.
3. The Director Marketing Coal
Ltd., 15th Part Street Apeejay
House B-Block 6th Floor 15th
Part Street, Calcutta-700 016
4. Shri Vijay Kachroo, General
Manager Sales & Marketing,
South Eastern Coalfields Ltd.,
Bilaspur
5. Union of India through the
Secretary Department of Coal,
Ministry for Coal & Mines
Shastri Bhawan New Delhi

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

Shri Arjun Yadav, Advocate for the petitioner.

Shri Praveen Das, Advocate for the Respondents No. 1 to 3.

Shri Ashish Shrivastava, Advocate for the Respondent No.4.

ORAL ORDER

(1st February, 2006)

The following order of the Court was passed by **Satish K. Agnihotri, J.**

1. The present petition filed by the petitioner, who was working as Deputy Chief Sales Manager in M-1 grade and was posted in S & M Deptt. at the South Eastern Coalfields Limited, Head Quarter, Bilaspur, impugns the order dated 19/21.10.2002 (Annexure

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A/ 1) whereby the services of the petitioner were transferred in the existing capacity/grade to Dankuni Coal Complex, Dakuni with immediate effect. The petitioner has further impugned the order dated 26/27.10.2002 (Annexure A/2) whereby the petitioner was relieved from his existing place of posting as Deputy Chief Sales Manager, S.E.C.L. Head Quarter, Bilaspur for joining at Dankuni Coal Complex, Dankuni.

2. The petitioner has made several prayers in the petition including, challenging the validity of the transfer order dated 26/27.10.2002, seeking direction against the respondents not to harass the petitioner and his family members and further direction to the Central Bureau of Investigation for probe against the Respondent No.4.
3. I have gone through the pleadings of the case and the averments made in the petition by the petitioner. The petition is as vague as it could be without specifically pointing out the instance which led the petitioner to believe that the petitioner and his family members are being harassed. It is well settled principle of law that the Court cannot direct probing enquiry against a particular person when the specific allegation has not been made against the person. The petitioner has not made out any case for direction as prayed for in the petition.
4. This Court vide order dated 13.1.2003 granted status quo with respect to the petitioner's posting as existing on that day.
5. Thereafter the petitioner filed an application being M(W)P No. 3109/2003 for issuance of suitable direction and interim relief in view of the subsequent events and developments in the case. In the said application it was stated that vide order dated 17.6.2003

(A/19)

(Annexure A-105) the petitioner has been transferred to Eastern Coal Fields Limited, Sanctoria, P.O. Dishergarh, Distrit-Burdman. The present petition has not impugned the order dated 17.6.2003 (Annexure A/ 105).

6. In view of the subsequent developments, the present petition has become infructuous. The petitioner seeks liberty to challenge the subsequent transfer order, if necessary.
7. With the aforesaid liberty this petition is dismissed as having become infructuous. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Thakur